Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
03-27-05	Transit Services Bureau, Blue Line	☐	☒

Incident Information

URN: 005-02114-6007-055	Date: 03-24-2005 Time: 1625
City or Station: Long Beach, CA	Nature of Incident: Deputies were flagged down by a victim of a robbery. The victim pointed out the fleeing suspects and deputies attempted to detain one suspect. A struggle ensued to gain control of the suspect. The suspect grabbed on to the deputy's weapon and attempted to pull it from the holster. Deputy Harper fired one round at the suspect and the round struck the suspect in the neck, continued through and struck Deputy Albano in the right arm.
Location: 1798 N. Long Beach Boulevard	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street
Other: Rail platform

Lighting (*circle only one*): Darkness, **(Daylight)** [circled], Other, Street Lights

Weather (*circle only one*): **(Clear)** [circled], Cloudy, Fog, Rain

Distance: less than 1 foot

Incident Type (*circle one or more*): Accidental, Armed Person, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, **(Struggle Involved)** [circled], Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot
Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **(Observation)** [circled], One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)** [circled]

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
1	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Albano	Erik		EM (PM) [circled] Day	(Regular) [circled] Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Bedogne	Andrew	P	(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Takeshita	Paulino	M

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Pando	Augie	

PSTD Use Only
SH # 2142447

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03-24-2005	1815	01-20-06	

Employee #	Last Name	First Name	M.I
[redacted]	Landreth	Larry	L
[redacted]	Stunson	David	J
[redacted]	Lee	Stacy	L

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PH					CP	AR
E#1	S#1	FH	BR	9	Y	Y	GS	NK
E#1	E#1	FH	BR	9	Y	Y	GS	AR

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 005-02114-6007-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Harper	First Name: Scott	M.I.
Sex: M Race: W	Rank: DSG	Unit Assignment: TSB	Work Assignment (Unit #, Module, etc.): 603F2
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors: No laser sights
Age: 38 Height: 5-10	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Hunt	First Name: Tony Jr.	M.I.: D.
AKA Last Name:	First Name:	M.I.:

Sex: M Race: B	Street Address: [redacted]	City [redacted]	[redacted] & Zip [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 09-16-85	Height: 5-07 Weight: 145	FBI # [redacted]	CII # [redacted]
Booking # 8506936	Primary Charge: 664/187 PC		Secondary Charge: 211 PC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make: none		Model:	Year:

S __

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S __

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S __

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I.
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

COUNTY OF LOS ANGELES
SHERIFF"S DEPARTMENT

HIT SHOOTING
EVALUATION

UNIT: Transit Services Bureau
DATE: March 24, 2005, (Thursday)
TIME: 1625 hours
LOCATION: 1798 N. Long Beach Boulevard, Long Beach, CA 90805 (PCH PAX)
URN#: 005-02114-6007-055
IAB#: SH 2142447

NATURE OF
INCIDENT: On March 24, 2005, at about 1625 hours, Transit Services deputy Scott Harper was involved in a hit shooting incident at the Pacific Coast Highway P.A.X. station of the Metro Blue Line light rail.

Deputy Scott Harper and his partner, Deputy Erik Albano, were on the train when it stopped at the P.C.H. PAX Station, 1798 N. Long Beach Boulevard, in the city of Long Beach. A passenger pointed to three males and told Deputy Harper they had just robbed him. As the suspects exited the train, two of the three suspects immediately ran away. When Harper and Albano contacted the remaining suspect, Tony Hunt, MB/29, Albano and Hunt became involved in a fight. As they struggled, Suspect Hunt reached for Albano's weapon. When Deputy Harper saw Hunt trying to take Albano's weapon, he fired one round from his duty weapon at Hunt. The round struck Hunt in the neck and ear. The round continued on, striking Deputy Albano in the upper right arm. Both the suspect and Deputy Albano were treated for their injuries and Suspect Hunt's loaded semiautomatic pistol was recovered from the scene.

Internal Affairs Bureau was notified at 1700 hours and Sergeants Larry Landreth and David Stunson, along with Lieutenant Stacy Lee, of the Internal Affairs Bureau responded to the command post on Long Beach Boulevard. When we arrived, Homicide Bureau personnel were at the scene investigating the incident. One deputy had been injured and transported to Long Beach Memorial Medical Center with a superficial gunshot wound.

Homicide Investigators Katz and Muse eventually identified the other two suspects and they were arrested for the robbery.

COMPLETED BY: Sergeant Larry Landreth, Internal Affairs Bureau
DATE: January 15, 2006

On September 9, 2005, Deputy District Attorney William H. Johnson issued a Letter of Opinion regarding the deputy involved shooting incident. In his review of the shooting, D.D.A. Williams found that Deputy Scott Harper's use of deadly force was both reasonable and necessary.

The following summary is based on verbal and written statements from the involved deputy, witness statements and statements from the suspects.

INVOLVED PERSONNEL:

HARPER, SCOTT, Deputy Sheriff #[redacted]
Transit Services Bureau - Metro Blue Line, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 06-19-1991
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:



SUSPECT(S):

HUNT, TONY DWAYNE JR. , MB/29 yrs. DOB: 09-16-1985, 6-00", 170 lbs., brown/brown
[redacted], No telephone #
Booking # 7950998 **C.I.I. #**[redacted] **Main #**[redacted] **FBI #**[redacted]

Suspect Hunt's criminal history consists of the arrest related to this incident and [redacted].

Suspect Hunt is an admitted Grape Street Watts gang member.

CIVILIAN WITNESSES:

> IAB Note: During the canvass of the area and train cars after the shooting thirty-eight riders were contacted and questioned as to what they may have witnessed. The nine individuals below either saw or heard something substantial and their interview summaries are included in the document.



1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]
8. [redacted]
9. [redacted]

DEPARTMENT WITNESSES:

1. Albano, Erik, Deputy Sheriff, #[redacted]

INJURIES:

Suspect
Suspect Hunt sustained a grazing gunshot wound to his neck and right ear.

Deputy Personnel
Deputy Erik Albano sustained a gunshot wound to right arm. Deputy Harper sustained some small lacerations to his right arm during the fight with the suspect.

WEATHER AND LIGHTING CONDITIONS:
Daylight, clear, with little or no clouds.

WEAPONS USED BY SUSPECT(S):
SUSPECT Hunt was armed with a Sundance Industries 25 Caliber semiautomatic pistol, serial number[redacted]. The weapon was loaded with five (5) .25 caliber rounds in a magazine.

IAB Note: Refer to Exhibit A, page 143, for additional information.

WEAPON(S) USED BY DEPUTY PERSONNEL:

DEPUTY SCOTT HARPER
Service Weapon- Berretta, 92F (Serial Number BER[redacted]Z), Double Action Semiautomatic

Pistol, 9mm Luger
Type Of Ammunition- Winchester Brand Ranger "T" 9 mm Luger cartridges.
Ammunition- One round fired and fifteen left in the magazine.
Shell Casings- A total of one expended round was located at the scene where Deputy Harper reported firing.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:

> **IAB Note: A check of TRS & WQS by both this investigator and Sgt. Dave Nell, Weapons Training, revealed Deputy Harper last qualified on [redacted]. No record of him shooting between [redacted], either for qualification or remedial, was found in the records. Refer to e-mail messages from Sgt. Dave Nell in the Miscellaneous Section of this review.**

Lab Receipt No. J639846 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 140)

INVOLVED DEPUTY(S) STATEMENTS:

Deputy Scott Harper was interviewed by Homicide Investigators Steve Katz and Linda Muse on 03-24-05, at 2115 hours. He was interviewed again by I.A.B. Investigators, Sergeants Larry Landreth and David Stunson, on February 16, 2006. Both interviews were tape recorded and the following is a summary of both interviews.

Deputy Harper said he was assigned to Unit #603F2 with his partner, Deputy Erik Albano. Harper said they were a two-man car in a roving unit working the Metro Blue Line.

Deputy Harper stated that he and his partner parked their radio car at the Willow Street Station and rode the Metro Blue Line train southbound from Willow Street to the Pacific Coast Highway passenger station. He indicated that their primary focus was to enforce fare evaders on the train.

Deputy Harper stated that he and Deputy Albano had two individuals detained in handcuffs as they exited the southbound Blue Line passenger train at the Pacific Coast Highway Station. He stated they were waiting for the northbound train in order to return to the Willow Street Station where their radio car was parked. He stated their intention was to use the computer in their radio car to verify the identification of the two detainees in order to issue them citations for the fare violation.

Deputy Harper stated that while at the Pacific Coast Highway passenger station, the northbound

Blue Line train entered the station. He stated that as the doors opened in the second car, he entered Car #128. Deputy Harper stated that as he entered the car and began walking southbound, he was approached by a male who indicated that he had just been robbed and that the suspects were in the back of the train. He further added that the victim told him the suspect either took his money or tried to take his money.

Deputy Harper stated that the victim pointed to the platform where three male Blacks were walking in a southbound direction past the #2 car of the train. Deputy Harper stated that he grabbed hold of one of the suspects(Tony Hunt) in an effort to detain him and notified his partner, Deputy Albano, to detain the other individuals who were walking northbound off of the platform.

Deputy Harper stated that as he detained the individual, later identified as Suspect Tony Hunt, Suspect Hunt threw a metal object back onto the train through the open train door. Deputy Harper stated that he saw the object thrown and identified it immediately as a handgun. At that point he notified Deputy Albano of a gun on the train. Deputy Harper stated that as he notified Deputy Albano, Suspect Hunt was able to free himself from his grasp and began moving in a northbound direction in the direction of Deputy Albano. Deputy Harper further added that when the firearm was thrown by Suspect Hunt onto the train, the doors to the train began to close.

Deputy Harper indicated that Suspect Hunt was moving in the direction of Deputy Albano and he became concerned about a firearm now being on the train. He indicated that he advised, by way of his handheld radio, that a firearm was on the northbound Blue Line passenger train. He was not certain that he could get back onto the train since the doors had closed. It was at this point that Deputy Albano grabbed hold of Suspect Hunt and the two became involved in a fight. Deputy Harper further advised, by way of his handheld radio, that deputies at the Pacific Coast Highway passenger station were now involved in a fight with a suspect.

Deputy Harper stated that he ran to the aid of Deputy Albano. He stated that Deputy Albano and the suspect were now fighting on the floor of the platform. He stated that he approached the suspect from behind, drew his duty weapon and placed it at the back of the suspect's head ordering him to stop fighting. He stated that Suspect Hunt pushed his gun away and continued to struggle with Deputy Albano.

Deputy Harper indicated that Deputy Albano and the suspect continued to fight, and he again advised via radio that there was a gun on the Blue Line train. Deputy Harper stated that at this point, Deputy Albano told him that the suspect was "going for my gun." He stated that Deputy Albano told him to shoot the suspect. Deputy Harper stated that Deputy Albano's voice was trembling when he made this statement to him. Deputy Harper said he had worked exclusively with Deputy Albano for almost two years and knew by the tone in Albano's voice that he was very frightened when Albano said to shoot the suspect.

At that point, he placed his gun to the back of the suspect's head and fired one contact shot. He stated that after the round was fired, the suspect fell flat, soiled his pants and his body began to violently tremble. At that point he believed the suspect was gravely wounded and no longer presented a threat to anyone.

Deputy Harper stated he noticed the train stopped and the door began to open once again. Deputy Harper said because he believed the suspect was dying and no longer a threat to his partner, he felt the greater threat was to have a possible loaded handgun inside of a Metro Blue Line train. Deputy Harper turned away from his partner and the suspect and entered the doorway through which Suspect Hunt had thrown the firearm. He recovered the handgun from the floor of the Blue Line train, placed it in the right rear pants pocket of his uniform pants, and returned to Deputy Albano and Suspect Hunt.

Deputy Harper indicated he was surprised to see that Suspect Hunt was still struggling while Deputy Albano was attempting to handcuff him. He stated that the two continued to struggle and fight with Suspect Hunt until he was finally handcuffed. Deputy Harper stated that he un-handcuffed the two detainees who were being transported back to the Willow Street Station for the fare evasion violation and told them to wait on the Blue Line train.

> **IAB Note: Deputy Harper removed the handcuffs from both people he had detained and told them to remain on the platform until interviewed by Sheriff's personnel. Neither individual remained on the platform until Homicide arrived.**

Deputy Harper said that he did not consider any other force options prior to shooting the suspect. He said he had already placed his duty weapon against the suspect's temple and ordered him to stop fighting, of which the suspect failed to comply. When he heard Deputy Albano's voice ordering him to shoot the suspect, Harper said he was in fear that Suspect Hunt had or was removing Albano's weapon from the holster. Deputy Harper said he was aware that his nearest assisting units were several minutes away and he believed he and his partner were alone in the city of Long Beach fighting for their lives. Harper added that Long Beach Police Department officers arrived after about five minutes after the suspect was taken into custody and Sheriff's units arrived after about ten minutes.

> **IAB Note: Deputy Harper said he turned the suspect's weapon over to Long Beach P.D. Officer [redacted] as soon as [redacted] arrived at the location.**

Deputy Harper stated he was not aware that Deputy Albano had been hit by the gunfire until paramedics from the Long Beach Fire Department arrived to treat the suspect.

SUSPECT STATEMENTS:

Suspect Tony Hunt was interviewed by Homicide Investigators Steve Katz and Linda Muse on 03-24-05, at 2225 hours. The interview took place at St. Mary's Hospital and was tape recorded. The following is a summary of the interview.

Suspect Hunt told Detectives that he was riding on the Blue Line train by himself. He stated that he was not with any friends or relatives. He stated he was standing in the back of the second car on the train. He stated that when the train stopped at the Pacific Coast Highway passenger station, he was asked by an officer as to whether or not he had a ticket. Suspect Hunt stated that he fumbled for a transfer ticket.

Suspect Hunt stated that at some point a gun was found on the train. He stated that he was wrestled to the ground and held down. He stated that while this was occurring he was trying to put his hands up. Suspect Hunt stated at that point, one of the officers told another officer to shoot him. He stated that he saw blood coming from his head and that he was handcuffed. He stated that one of the officers placed his knee into his back. He further added that he saw one of the deputies pick up a gun from the train area.

Suspect Hunt admitted to Detectives that he was in possession of the gun found by deputies and threw it onto the train. He also indicated that he fought with the deputies after throwing the gun onto the train.

Suspect Hunt also told Detectives that at the rear portion of the second car of the train, he saw a robbery occur. He described two male Blacks, one wearing a black hooded sweatshirt and the other wearing a blue hooded sweatshirt, rob another male Black at the rear of the train. Suspect Hunt further described the suspect wearing the blue hooded sweatshirt as the individual who stole money out of the victim's pants pockets. He further added that one of the suspects commented about being from the "Grape Street Watts" street gang.

Detectives asked Suspect Hunt why he was carrying the gun that he tossed onto the train. He stated he was carrying it for protection because he had been approached by different people at different times and thought he needed protection.

IAB Note: Homicide Investigators Katz and Muse were able to identify the other two suspects during the course of their investigation. The suspects, [redacted], MB/16, and Jeffrey Marquell Hawkins, MB/20, were identified by the victim of the robbery. On April 8, 2005, after the arrest of Suspect Jeffrey Hawkins, both Suspects Hawkins and Hunt were placed together in the Los Angeles County Jail. Homicide Investigator Katz monitored the conversations between Hunt and Hawkins. During the monitoring,

Sergeant Katz heard Suspect Hunt and Hawkins admit to the robbery of Victim [redacted]. They both implicated Suspect [redacted] as involved in the robbery.

DEPARTMENT WITNESS STATEMENTS:

Deputy Erik Albano was interviewed by Homicide Investigators Steve Katz and Linda Muse. IAB Investigator Sergeant Larry Landreth was also present. The interview took place on 03-24-05, at 2000 hours, at Long Beach Memorial Medical Center. The interview was recorded and the following is a summary of the interview.

Deputy Albano is assigned to Unit #603F2 of the Transit Services Bureau and was working his normal duty shift at the time the incident occurred. Deputy Albano said he was working with his partner, Deputy Scott Harper.

Deputy Albano said that he and Deputy Harper parked their black and white radio car at the Willow Street passenger station and rode the Metro Blue Line train southbound to the Pacific Coast Highway passenger station. He indicated it was their intention to check fares in the northbound train and then return back to their radio car. Albano said he and Deputy Harper were in the process of boarding a northbound train as they were standing on the passengers' platform of the Pacific Coast Highway Metro Blue Line passenger station. They were going to enter the train in order to check the riders on the train to ensure they had paid their fares. Deputy Albano stated that as they began to enter the second car of the northbound train, Car #128, a male Black, later identified as Victim [redacted], made himself known to Deputy Harper indicating that he had just been robbed at the back of the train. He further indicated that Deputy Harper told him that Victim [redacted] had pointed out the suspects responsible for the robbery, pointing to three male Blacks as they walked northbound from the train along the passengers' platform.

Deputy Albano said that while he was on the platform detaining a male Black to determine if this male Black had paid his fare, his partner, Deputy Harper, was inside Train Car #128 gathering information regarding the robbery victim. It was at this point that Deputy Harper told him, "That's one of them," and pointed to the male Black he had already detained regarding the fare investigation. Deputy Albano stated that the suspect then tried to run past him, at which time he grabbed hold of the suspect's left arm, with his right hand, and had the suspect's back against him. He placed his left hand above the suspect's chest holding onto his left shoulder. He said he was in this position when he heard his partner yell out that a gun was involved.

Deputy Albano stated he was not sure where the gun was at this point, and the suspect continued to try to struggle to get away from him. At this point both the suspect and Deputy Albano fell toward the ground, with Deputy Albano striking his forehead area against the metal bench on the

platform. Deputy Albano stated that he began to feel the suspect grabbing and tugging at his gun in its holster. At this point Albano felt that his safety and his partner's safety were in danger. Deputy Albano stated that he told his partner, "He's going for my gun. He's going for my gun," and , "Shoot him. Shoot him." Deputy Albano stated that his partner, Scott Harper, shot the suspect one time in the head. The suspect continued to struggle after being shot, and he was eventually handcuffed by both Deputies Albano and Harper. Deputy Albano stated that he put out a "998" and Long Beach Police Department officers were the first to arrive at the scene.

Deputy Albano stated he did not know he had been shot until a Long Beach Police Department officer approached him and said, "You're bleeding." Deputy Albano stated that he believed the blood came from Suspect Hunt until he raised his right shirt sleeve and saw a bleeding hole in his right arm.

Deputy Albano said that the suspect continued to kick at them with his feet, and he and his partner placed a hobble restraint on Suspect Hunt's feet.

Deputy Albano told Investigators Katz and Muse he believed the entire incident took "About 10 seconds" from start to finish.

Deputy Albano told Detectives that when he felt the suspect tugging on his weapon, he could not see the holster as the suspect's torso and body were covering that portion of his body. In addition, Deputy Albano stated that his hands and arms were around the suspect's upper torso and he was attempting to control the suspect's left hand with his left hand. He indicated he was unable to maintain control of his duty weapon, and when he felt the suspect tugging on it, he immediately became concerned for his own safety.

IAB Note: Refer to Exhibit E, photographs, for a photograph of Deputy Albano's web holster and gun belt.

Albano said he did not want to be shot with his own weapon and did not want to die, nor did he want his partner to be assaulted with his firearm.

Deputy Albano said that he and his wife have a young child, and he was concerned that he might not see his son as a result of this confrontation.

NON-DEPARTMENT WITNESS STATEMENTS:

Mr. [redacted], the victim of the robbery on the train, was interviewed on 03-24-

2005 by Homicide Investigators Seymour and IAB investigator Sergeant David Stunson. The interview was recorded for review.

Victim [redacted] said He was the victim of the robbery and witnessed some of the events of the eventual deputy involved shooting.

Victim [redacted] said he had picked up his payroll check from [redacted], and walked to the First Bank and Trust on Ocean, then over to the Wal-Mart located at 4th and Pine, where he purchased some DVD's. He then he boarded the Blue Line Metro train at 3rd and Pacific. [redacted] said the train stopped at the Anaheim PAX platform, and the three suspects entered the train at this time. He said these three suspects walked straight toward him. The suspects asked [redacted] where he was from. He told them he was not from anywhere.

Mr. [redacted] said the suspect(later identified as Suspect [redacted]) who did most of the talking was a light skinned black, about 5'-10" to 5'-11", 160 to 170 pounds. [redacted] said he did not notice anything else about the suspect. He said this suspect said, "Don't make me shoot you." [redacted] said he was afraid he would be shot, so he did not resist.

[redacted] said the suspect(later identified as Suspect Hunt), who eventually got shot by the deputy was a dark skinned male black, about 5'-11",160 to 170 pounds, who was wearing all black clothing. [redacted] said he noticed the clothing of this suspect, because he saw him lying on the ground after the shooting.

[redacted] said the third suspect(later identified as Suspect Hawkins) was a dark skinned male black, 600 to 601, "chubby", or, "solid like he was getting ready to get in shape."

Victim [redacted] said Suspect [redacted] began checking his pockets and removed the money from his pockets. He said he was also asked, "Where's your phone? Where's your phone?" [redacted] said at this point he pushed Suspects Hawkins and [redacted] hands away. He said Suspect Hawkins also checked his pockets. Suspect [redacted] said, "Give me the pistol," and Suspect Hawkins said, "Give me the pistol," at which point Suspect Hunt began fumbling in his pants pockets. This made Victim [redacted] believe Suspect Hunt was reaching for the gun the other two suspects were asking for.

[redacted] said Suspect [redacted] took his hat, earrings, and $457 in currency from his front pants pockets.

Victim [redacted] said when the suspects told him they were from Grape Street Watts, he told them he had family members in that gang hoping the suspects would not do anything to him, but they robbed him anyway.

[redacted] said after the robbery, the train stopped at the Pacific Coast Highway station. The suspects got off the train and were stopped by two Sheriff's deputies who were checking passenger tickets. [redacted] told the deputies he had just been robbed and pointed out the suspects.

[redacted] said two of the suspects ran off the platform toward Pacific Coast Highway, but the deputies caught the third suspect. He said while the deputies were talking to Suspect Hunt, his gun fell out. [redacted] said he heard the gun hit the ground, followed by a deputy yelling, "He's got a gun". [redacted] went further into the train car, when he turned back to look, he saw the deputies "wrestling and tumbling" with the suspect. He said the suspect was trying to break free, and run away from the deputies. [redacted] said the deputies repeatedly told the suspect to "freeze". He said his view of the deputies and suspect was partially blocked by a pole on the platform. He said next he heard a gun shot.

When asked, [redacted] said when the first two suspects ran, Deputy Albano began to chase them. He said the deputy only ran a few yards when Deputy Harper yelled that his suspect had a gun. The second deputy returned to help his partner. When asked, [redacted] said neither deputy would have lost eye sight of the other. [redacted] did not remember if either deputy used his radio.

Victim [redacted] identified Suspect Hunt and the two other suspects as Suspect [redacted] and Jeffrey Marquell Hawkins, from a photographic "mug files" shown by Homicide detectives Katz and Muse.

On March 24, 2005 at 1945 hours, Sergeant Seymour interviewed **Witness** [redacted]. She was a witness to the robbery and eventual Deputy involved shooting. Also present during the interview was Sergeant David Stunson from the Sheriff's Internal Affairs Bureau. The interview was audio recorded.

[redacted] said she was seated in the train (car #128) when the robbery occurred. She said three male blacks robbed another male black while the train was traveling north towards the Pacific Coast Highway passenger station. She said one of the males did most of the talking during the robbery. [redacted] said that the suspect told the victim the group was from "Grape Street." The suspect also told the victim that they had a gun, and if he resisted, they would shoot him. [redacted] said the other two suspects stood over the victim and it was clear they meant to rob him. [redacted] said the suspects took the victim's hat, earrings, and money from the his pockets.

[redacted] described the first suspect ([redacted]) as male black, light skin, 19 years old, approximately 5'11" and skinny, with short waves in his hair. She said he was wearing some type of designer t-shirt and jeans. [redacted] heard this suspect say, "Give me your hat", and "If you fight, we'll shoot you. We got a gun".

[redacted] described the second male (later identified as Tony Hunt) As 5'11" or slightly more, big and stocky. He was wearing black sweats and a black "Hoodie" jacket. She said he stood over the victim, "as if he had a gun."

[redacted] said the third suspect (Jeffrey Hawkins) was over 6' tall, big and husky. He was wearing jeans, some type of jacket, and a baseball style cap. [redacted] said he was talking on the phone during the robbery, but said he was definitely involved. [redacted] said all three suspects got on the train on the stop before Pacific Coast Highway.

[redacted] said after the robbery, when the train stopped at Pacific Coast Highway, the suspects began exiting the train. At the same time, two deputies, who were in full uniform, entered the train and began checking passenger tickets. [redacted] said one of the deputies was white, and the other was perhaps Hispanic. [redacted] noticed that the deputies had a female with them who was in handcuffs. [redacted] said the victim yelled to the deputies that he had just been robbed and pointed out the suspects. She said two of the suspects immediately ran from the platform. One of the deputies began to chase the two, but simultaneously, the other deputy grabbed the third suspect's jacket and began struggling with him as the suspect tried to get away.

As the deputy and the suspect struggled, a small silver gun fell to the floor. [redacted] said the gun fell out of the suspect's jacket. She said the deputy yelled to his partner that there was a gun, and the partner deputy returned and assisted in the struggle with the suspect that was now taking place on the platform outside of the train.

[redacted] said the deputies and the suspect were fighting for what seemed like a couple of minutes. She heard one of the deputies yelling, "Stop or we'll shoot". She said she heard the warning 15 to 20 times. [redacted] said the deputies and the suspect were 'balled up" (like they were hugging) on the ground fighting. She then suddenly heard a gunshot. [redacted] said she thought it was the white deputy who shot at the suspect. Immediately after the shooting, the white deputy retrieved the suspect's gun from the floor of the train.

[redacted] said after the deputy retrieved the gun, she saw the other deputy holding his hand over the wound in the suspect's neck. She said it appeared as if the deputy was trying to stop the bleeding from the suspect's wound. [redacted] noticed this same deputy appeared to have been shot in his arm also. [redacted] speculated that the deputy got shot because when the shot was fired, all three were balled up together fighting. [redacted] said the deputies told the victim to remain at the scene because he was the victim of a robbery and they needed to speak with him.

When asked, [redacted] remembered the white deputy had a black gun, and at some point was holding it while ordering the suspect to stop fighting. She described the fight as a, "wild tussle". She said the suspect was trying to get away. She did not notice exactly what the suspect was dong with his hands. When asked, [redacted] said the Hispanic deputy ran just a few yards after the two other suspects

before he came back to assist the white deputy. When asked, [redacted] remembered one of the deputies using the radio. She believed he used the radio before the shot was fired. She did not know what exactly was said.

Witness [redacted] was interviewed by Homicide investigator, Sergeant Seymour and Sergeant David Stunson from the Sheriff's Internal Affairs Bureau on 03-24-2005 at 2030 hours. The interview took place at Long Beach Police Department Headquarters and was recorded.

Witness [redacted] was a witness to some of the events leading to the shooting. [redacted] said she attended the [redacted] but she did not pursue a career in law enforcement.

[redacted] said at approximately 1620 hours she was riding on the Blue Line train, in car 128B, in the third forward facing seat. She was seated in the middle of the car. The car was stopped at the Pacific Coast Highway passenger terminal. She heard a deputy say, "Hey you, stop." She looked outside on the platform and saw two males in their twenties. She described one as a male black, and the other as a male Hispanic. [redacted] said both males stopped and turned to face the deputy. [redacted] said the deputy, who she described as white, was pointing a gun at the two males.

[redacted] said she heard someone from the rear of the train say, "There he goes." She said she then noticed two deputies on the platform and watched as they went to the rear of the train. She said everyone on the train was standing up, and the deputies began wrestling with a male black just outside the train near the rear doors. She said the altercation was taking place between a scrolling marquis and a blue bench on the platform. She remembered seeing a bakery located just west of the platform.

[redacted] said an Asian lady said, "He has a gun. It's on the floor. Someone kick it out of the train." [redacted] did not turn to look at the gun, but said other people in the train were suggesting that someone kick the gun out so they could go.

[redacted] said while the discussion was occurring about the gun, both deputies were struggling with the suspect. She said the suspect was "really resisting arrest". She described the deputies as white(Harper), and possibly, Hispanic(Albano). [redacted] said the Hispanic deputy had his left arm on the suspect's left arm and was using his right arm on the suspect's shoulder area to try and force him to the ground. She said the deputy and suspect spun around and fell to the ground.

[redacted] said a female black was standing next to the suspect and deputies, yelling, "Let him go". She said the female's hands were behind her back. [redacted] said the white deputy briefly turned his attention toward the female to keep her away.

[redacted] said the struggle continued. She described the altercation as looking like a wrestling

match. Both the suspect and Hispanic deputy were on their hands and knees. She said the suspect was trying to turn into the deputy who was behind him, and was reaching and grabbing towards the deputy's side. She said the Hispanic deputy kept having to turn his side away from the suspect while trying to control him. When asked, she said it appeared the suspect may have been trying to grab the deputies gun, because it was obvious the deputy was concerned and was trying to keep his gun side away from the suspect.

[redacted] said the white deputy ran to a position to the rear and right of his partner and the suspect. She said all three were on the ground struggling. She said someone on the train said, "Hit the floor". She said everyone ducked and she immediately heard a gunshot.

[redacted] said a few seconds later she looked to see what was happening. She saw the Hispanic deputy and the suspect. The suspect was in the "prone" position. The Hispanic deputy had the suspect in a control hold with his knee in the suspect's back attempting to hold him down. The suspect was still attempting to get up and away from the deputy. She said a couple of minutes later, Long Beach Police Officers, Sheriffs deputies and rescue personnel arrived. She said about five minutes after the rescue personnel arrived, she began writing notes on several pieces of green paper to keep her memory of the incident fresh.

On March 24,2005, at 2105 hours, Sergeant Seymour interviewed **Witness** [redacted]. She was a witness to the robbery and eventual Deputy involved shooting. Also present during the interview was Sergeant David Stunson from the Sheriff's Internal Affairs Bureau. The interview was audio recorded.

[redacted] said she got on the train at the Pacific Station. She said Victim [redacted] got on there also. She said [redacted] was seated in the middle of the train, near the window. She was seated two seats away. She said when the train stopped at the Anaheim station, four suspects entered the car and asked the [redacted] where he was from. He replied he was not from anywhere. The suspects said they were from "Grape Street Watts." She said the suspects took [redacted] hat, earrings, and money from his pockets.

[redacted] described one of the suspects who was near her and talking on a cell phone. She said he was wearing a grey sweatshirt and white t-shirt and black sweat pants. She said that male was near a pregnant female. The other three male suspects were standing over [redacted] One of the three was a light skinned black [redacted]. That suspect took [redacted] hat, earrings, and money. When asked, [redacted] said all three suspects near [redacted] were talking to him.

[redacted] said when the train stopped at the Pacific Coast Highway station, two Sheriff's deputies arrived. [redacted] told them he had just been robbed, and pointed out the suspects. She said three of the suspects ran away, but the suspect in the black jacket was caught by the deputies.

[redacted] said the deputies tried to get the suspect on the ground, but a small silver pistol fell to the

floor of the train. The deputies and the suspect were now struggling outside the train. She said the deputies, who she described as white and Chinese (Albano), were trying to get the suspect on the ground. She said the suspect fought them. She said the deputies were ordering the suspect to get down on the ground. She said both of the deputies had their guns out and were telling the suspect, "don't make me shoot you." She said one of the deputies shot the suspect and himself. After the shooting, [redacted] said the deputies told her and Victim [redacted] that they had to wait at the scene to give statements.

When asked, [redacted] said when the deputies arrived, the suspects were, "split up". Three were together, and the one in the black jacket was by himself. [redacted] specifically pointed to the male in the black jacket as one of the suspects who had just robbed him. When asked, [redacted] said she did not see the deputies split up. It appeared to her that their attention was always on the suspect in the black jacket. When asked, She said she did not hear either deputy use his radio prior to the fight, but did hear them on the radio after the shooting.

On March 24, 2005, at 2025 hours, **Witness** [redacted] was interviewed by Homicide Investigator Richard Tomlin. The interview took place at Long Beach Police Department Headquarters and was audio recorded. Mr. [redacted] said he was sitting on the Blue Line train at the time of the incident He said he was sitting next to the window, one seat in front of the entry/exit door, facing north. He saw two uniformed deputies walking towards the doors as it came to a stop at the P.C.H. platform. [redacted] said one of the deputies was Asian(Albano), the other White (Harper).

[redacted] then heard someone yell "Come back. Stop." [redacted] looked outside the window and briefly saw an African-American male running north on the platform. [redacted] could not provide a description of this individual other than he was young and was possibly wearing a tank top shirt.

[redacted] saw another African American male on the platform with his hands in his pockets. He described this person as being in his mid 20's, 5'9" to 5'10" tall with a medium build. He was wearing a black "Starters" jacket. The White deputy told the man to stay where he was and to take his hands out of his pocket. The deputy then escorted the man to a bench on the platform and had him sit down.

The train started slowly moving north when someone yelled, "Stop the train." [redacted] then heard an Asian woman on the train say that there was a gun on the floor next to the door. The woman was yelling that someone should kick it out when the doors opened so ,"we wouldn't be involved." [redacted] did not see the gun but does not believe anyone listened to her.

[redacted] attention was then drawn back outside as people on the train started yelling 'They're fighting." [redacted] looked south on the platform and saw the two deputies wrestling with a different African American male. He described the male (S/Hunt) as being a thin built, 20 year old, 6' 0" tall, wearing baggie jeans and a dark blue jacket. [redacted] said he was surprised at how much the suspect was fighting the deputies who

were trying to handcuff him.

The three eventually ended up on the ground with the deputies still trying to handcuff the suspect. Witness [redacted] said he turned away, disinterested, as he thought it was just another person who had not paid his fare. He then heard a gunshot and everyone on the train ducked down.

[redacted] eventually got up and looked outside at the platform. He saw the suspect lying on his stomach with a pool of blood underneath him. The Asian deputy was over the suspect with his knee in the suspect's back. [redacted] saw that the Asian deputy had blood on his hands and arms. [redacted] said he was not sure if the suspect was handcuffed at this point but said he was still resisting arrest. [redacted] said he believes if given the opportunity, the suspect would have run. A Long Beach police officer arrived and helped tie up the suspect's legs. Paramedics eventually arrived and the suspect was transported away.

[redacted] said he does not remember seeing the suspect on the train prior to the incident. He added that he did not see the actual shooting, nor did he see anyone (deputy or suspect) with a gun in their hand.

Witness [redacted] was interviewed at the scene by Deputy Christian Mezzano, LKD/136G, and said he saw the suspect on the ground struggling with the deputies. He said he did not hear and gunshots ,but saw that the suspect was trying to get away and fighting with the deputies.

Witness [redacted] was interviewed at the scene by Deputy Christian Mezzano, LKD/136G, and said he was standing on the platform when he saw the male Black suspect wrestling with the deputies. Mr. [redacted] heard the deputies tell the suspect, at least twenty times to "stop resisting" , but the suspect kept on fighting. He heard a gunshot and saw the deputies handcuff the suspect.

Witness [redacted] was interviewed on 03-24-2005 by Deputy Rod Barton, # [redacted], a LKD Special Assignment Deputy, about what she witnessed. [redacted] said she was preparing to exit the train at the Long Beach PAX when she heard some one say, "there he is". She saw deputies on the platform try to detain a male Black adult wearing a baseball cap. She heard the person say they had the wrong guy and saw deputies try to detain another male Black on the platform. She heard someone say from the rear of the train say, "there was a gun". She saw deputies struggling with the male Black adult and heard one gunshot. She was afraid and dropped to the floor seeking cover and did not see anything further.

Witness [redacted] was interviewed on 03-24-2005 by Deputy Ron Williams, LKD/136G7, about what she witnessed. Ms. [redacted] said she was seated inside of the train, in car 128, when it came to a stop at the platform. She saw that two deputies had a male and female

Black in handcuffs and seated on a bench, on the platform. When the deputies entered the train with their prisoners, a passenger(Victim [redacted]) told the deputies that a male Black just exiting the train had robbed him. There were four male blacks on the platform and when the deputies exited the train the four started to run. Ms. [redacted] saw a silver semi-automatic handgun slide onto the train floor from the platform area and some one kicked it back out onto the platform.

[redacted] saw two deputies struggling with one of the male Blacks who ran and heard the deputies demand that the male stop resisting. They told the male to stay down on the ground but the male continued to fight. She saw that one deputy had his arm around the male's neck trying to control him while the other deputy was pushing down on the male to prevent him from getting up. Ms. [redacted] heard one gunshot, but did not see who fired the shot.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Sergeant Steve Katz and Detective Linda Muse, Homicide Bureau
Court: Long Beach Superior Courthouse
Charges Filed Hunt: 211 PC, 69 PC, 148.10 (a) PC, & 12025 (a)(1) PC
[redacted]
Hawkins: 211 P.C. & 496.1 PC
Court Date 01/10/2006, continued
Plea/Conviction:
Sentence:

PROPERTY DAMAGE:

No property was damaged.